

Like it or not, professional sports teams have become an integral part of the fabric that makes up our communities. Since 1950, however, there have been over 50 franchise moves in the four major sports leagues. Sports team owners often instigate pitched battles between local communities over placement of teams. These communities are willing to pay millions of dollars to coax teams from one city to another, sometimes at the expense of other vital city services. Communities need more leverage in these battles.

Give Fans a Chance provides that leverage by requiring teams to listen to the community before making a relocation decision. It also gives communities an opportunity to purchase the team before they would be allowed to move to another city.

CONGRATULATING MR. THOMAS R. ASHLEY, ESQ. FOR RECEIVING THE DANIEL L. GOLDEN LIFETIME ACHIEVEMENT AWARD

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2011*

Mr. PAYNE. Mr. Speaker, today I rise to congratulate Mr. Thomas R. Ashley, Esq. who is a recipient of the Daniel L. Golden Lifetime Achievement Award. Mr. Ashley is one of New Jersey's and the nation's leading trial lawyers. It is with great pleasure and honor that I recognize the legacy of this accomplished attorney.

Mr. Thomas R. Ashley, Esq. is a native of Camden, New Jersey. As a star basketball player at Camden High School, Mr. Ashley received a scholarship to attend Rutgers University. He went on to accept an academic scholarship to Rutgers Law School, later becoming a recipient of Rutgers Law School's Civil Rights Award. With many opportunities and offers at major law firms, it was his law school professor, Mr. Arthur Kinoy, who urged Mr. Ashley to join the national legal staff of the National Association for the Advancement of Colored People (NAACP).

In 1968, Mr. Ashley prepared his first case with the NAACP lead team for the dismissal of an African-American man charged with the arson of a building in Enid, Oklahoma. Within four years, he teamed up with the well-known criminal and civil rights attorney, Mr. Raymond A. Brown, and started building a Newark based law practice that continues to this day.

Mr. Ashley's other accomplishments and affiliations include membership in the New Jersey State Bar Association, Essex County Bar Association and the National Directory of Criminal Lawyers as one of the top 500 criminal trial lawyers in the United States. He was also named the "Ten Leaders of Criminal Defense Law for Northern New Jersey" by Digital Press International in April 2004.

Mr. Thomas R. Ashley, Esq. is an extraordinary attorney, who continues to advocate for civil rights and justice in the Newark community and throughout the United States. Mr. Speaker, I rise to congratulate a noble and well-deserved recipient of The Daniel L. Golden Lifetime Achievement Award.

INCREASING SHAREHOLDER  
THRESHOLD FOR SEC REGISTRATION

SPEECH OF

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 2, 2011*

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 1965, which seeks, "To amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes." This legislation amends the Securities Exchange Act of 1934 regarding registration of securities to modify the registration threshold for an issuer that is either a bank or a bank holding company as well as for an issuer that is neither a bank nor a bank holding company. It raises the Exchange Act's shareholder cap from 499 to 1,999 shareholders for banks and permits banks with less than 1,200 shareholders to cease its reporting requirements under the Exchange Act. As well as, raises from \$1 million to \$10 million the threshold for total assets of an issuer that requires registration of a certain class of equity security.

This legislation would increase ability of banks to raise capital from a larger shareholder base, which would create a level playing field for smaller community banks. It also raises the Exchange Act's shareholder cap from 499 to 1,999 shareholders for banks and permits banks with less than 1,200 shareholders to cease reporting requirements under the Exchange Act.

Under current law, banks and private companies have a 500 investor threshold. Since 99.5 percent of banks reach the asset threshold for registration as a public company, the only meaningful test of whether a bank should be registered as a public company is the number of shareholders. But while the asset threshold has been increased tenfold since 1964, the shareholder threshold has stayed the same. Banks that are nearing the 500 shareholder threshold may have nowhere to turn to raise capital they need to meet the credit needs of their communities.

This provision limits the amount of capital banks and private companies can raise before they have to adhere to the Security Exchange Commission's (SEC) reporting requirements. The SEC reporting process is extensive and expensive. Small businesses, especially, can ill afford to comply with this stipulation at the cost of their ability to innovate and procure capital. As it stands community banks are part of a highly regulated industry governed by numerous statutes and regulations affecting almost every aspect of banking activity. Each banking institution is regulated by two agencies: a primary federal regulator and, in the case of state chartered banks, by the state regulator, as well.

Significant financial and other information regarding every bank and savings association can be publicly viewed on the website maintained by the FDIC. All banks are required to make annual reports available to both their customers and investors. Most provide financial and other information to investors through their company websites. The advantage to the small community banks from increases in the registration and deregistration thresholds would not be a lack of transparency, since

keeping shareholders and the public fully informed about the bank's performance is essential to its presence as a community bank. Rather, it is a reduction of regulatory burdens and reporting requirements that pose a disproportionate burden on small community banks.

Banks should focus on lending money to small business rather than fulfilling a regulation that should be modified. If we alleviate this burden from banks, I expect these same banks will give loans and provide other financial resources to our nation's businesses—especially for our nation's small businesses.

Our nation's businesses need our help. Because of the 2008–2009 financial crises, the business environment has been suffering from decreased access to credit. Appropriate access to credit allows for innovation and encourages startups which may one day become major employers. Currently, there is a distinct lack of capital procurement.

Small businesses need access to loans and other lines of credit in order to build their businesses and create jobs. Before us is a measure that would allow small businesses to get the support they need. This bill will provide small businesses with increased access to capital.

According to the U.S. Small Business Administration, small businesses account for 52 percent of all U.S. workers. They are the life blood of our economy. Small businesses in the U.S. produced three-fourths of the economy's new jobs between 1990 and 1995, and represent an entry point into the economy for new groups. Women, for instance, participate heavily in small businesses.

The number of female-owned businesses climbed by 89 percent, to an estimated 8.1 million, between 1987 and 1997, and women-owned sole proprietorships were expected to reach 35 percent of all such ventures by the year 2000. They were hindered in large part because of lack of access to traditional forms of credit. Before us today, is a measure that would help businesses grow. Small firms also tend to hire a greater number of older workers and people who prefer to work part-time.

There are hundreds of stories of start-up companies catching national attention and growing into large corporations. Just a few examples of these types of start-up businesses making it big include the computer software company Microsoft; the package delivery service Federal Express; sports clothing manufacturer Nike; the computer networking firm America On-Line; and ice cream maker Ben & Jerry's.

Without access to capital, Houston native Michael Dell would not have been able to start one of the most successful computer retail businesses in the world. His \$1,000 dollar initial investment in the 1980s allowed Dell Computers to become a household name. Without this capital, America would not have had one of its premier innovators.

The economic impact of this legislation is encouraging. Businesses require capital in order to expand and flourish. When businesses are presented with this opportunity, jobs are created that in turn, will stimulate economic growth. Dell's headquarters alone employs roughly 16,000 people.

We must always remember that American small businesses are the heart beat of our nation. I believe that small businesses represent